

COUNTY OF YORK

MEMORANDUM

DATE: June 21, 2002 (BOS Mtg. 7/16/02)
TO: York County Board of Supervisors
FROM: James O. McReynolds, County Administrator
SUBJECT: Application No. UP-598-02, Michelle Garcia

ISSUE

Application No. UP-598-02 requests a special use permit, pursuant to Section 24.1-283(b) of the York County Zoning Ordinance, to authorize a beauty shop as a home occupation within a single-family detached dwelling located at 104 Alabama Lane and further identified as Assessor's Parcel No. 2F-3-3-89.

DESCRIPTION

- ? Property Owner: Belva I. Johnston and Michelle Garcia
- ? Location: 104 Alabama Lane
- ? Area: 0.52 acre
- ? Frontage: 110 feet on Alabama Lane (Route 1617)
- ? Utilities: County-owned wells and water distribution system; no public sewer (County sewer extension project scheduled for completion in FY 2003).
- ? Topography: Moderate slopes
- ? 2015 Land Use Map Designation: Low-density residential
- ? Zoning Classification: RR – Rural residential
- ? Existing Development: Single-family detached home
- ? Surrounding Development:
 - North: Single-family detached home
 - East: Single-family detached home (across Alabama Lane)
 - South: Vacant parcel
 - West: Single-family detached home
- ? Proposed Development: Beauty shop as a home occupation

CONSIDERATIONS/CONCLUSIONS

1. The applicant lives in the Skimino Hills subdivision and wishes to operate a beauty shop in her home. Section 24.1-283 of the Zoning Ordinance requires a special use permit for any home occupations with on-premises retail sales, personal services, or customer/client contact, specifically including barber and beauty shops.
2. Section 24.1-281 of the Zoning Ordinances specifies a series of performance standards that apply to home occupations in general, and Section 24.1-283(b) sets forth additional standards that apply specifically to those home occupations for which a use permit is required. The general purpose of these standards is to limit the size, scale, and visibility of home occupations in order to ensure that they remain incidental and subordinate to the residential use of the property and to prevent adverse impacts on surrounding homes. Pursuant to these standards, home occupations are not permitted to occupy more than 25% of the floor area of the residence or 400 square feet, whichever is less. The applicant's home has approximately 1,800 square feet of floor area (including the garage), and the beauty salon will be limited to one 200-square foot area of the garage (11.1% of the floor area of the home). The Zoning Ordinance also limits the hours of operation to the period between 8:00 AM and 8:00 PM, Monday through Saturday, unless otherwise specified by the Board through a use permit condition. The applicant's proposed hours of operation are Monday through Saturday from 9 AM to 5 PM. The applicant plans to work four to five of the proposed six days per week.
3. According to the applicant, she offers services to male and female clientele and most appointments would be approximately 30 to 45 minutes in length, on average, while some appointments, such as perms and hair coloring appointments, could last as long as two to four hours. She has indicated that she will not schedule other appointments between the perm and hair coloring sessions, and a condition has been included in the approving resolution specifying that only one customer may be served at a time. There would be no employees other than the applicant herself. Based on this information and the proposed hours of operation, staff estimates that the business could generate a **maximum** of approximately 18 vehicle trips per day (nine entering, nine exiting), or 108 vehicle trips per week (assuming a full schedule of appointments on every workday). None of these trips would be in the AM peak hour and no more than two per day would be in the PM peak hour. By comparison, a typical single-family detached home would be expected to generate approximately ten (10) vehicle trips per day.
4. The subject property can accommodate both the residential parking requirement (two spaces) and the off-street parking demand generated by the proposed beauty shop (1 space). The home has a one-car garage (excluding that portion of the garage dedicated to the beauty shop) and a 75-foot driveway that can accommodate at least 4-6 cars.
5. In the past eleven years, the Board of Supervisors has approved ten applications for home barber and beauty shops. For comparison purposes, relevant data for these ten

home occupations are listed in the table below. As the table indicates, the proposed home occupation would be similar in size and hours of operation to these approved home occupations.

Approval Date	Location	Maximum Area	Days and Hours of Operation
2/21/91	Lotz Acres Estates	125 square ft.	Monday-Saturday, 8 AM-8 PM
10/17/91	Hudgins Farm Drive	240 square ft.	Monday-Saturday, 8 AM-8 PM
4/16/92	Hornsbyville Road	240 square ft.	Monday-Saturday, 8 AM-8 PM
10/15/92	Running Man	150 square ft.	Monday-Saturday, 8 AM-8 PM
5/20/93	Edgehill	260 square ft.	Monday-Friday, 9 AM-5 PM
8/16/95	Carraway Terrace	200 square ft.	Tuesday-Thursday, 9 AM-6 PM
11/21/00	Woods of Tabb	150 square ft.	3 days/week 9 AM-5 PM
2/19/02	Edgehill	250 square ft.	Tues.& Thurs., 10 AM-7 PM; Wed.& Fri., 10 AM-4 PM; and Saturday, 10 AM-2 PM
2/19/02	Carver Gardens	200 square ft.	Monday-Saturday, 8 AM-8 PM
6/4/02	Elizabeth Robinson	79 square ft.	Tues.-Fri., 9 AM-5 PM Saturday, 8:30-1 PM

According to staff in the County's Zoning and Code Enforcement Division, there have been no complaints or compliance problems associated with any of these home beauty/barber shops.

6. Section 24.1-281(e) of the Zoning Ordinance states that home occupations "shall not generate traffic, parking, sewerage or water use in excess of that which is normal in the residential neighborhood." By their nature home beauty shops typically involve more water use than an ordinary home. The County's Utilities Division has indicated that the proposed home occupation will have little or no impact on the capacity of the County wells and water system that serve Skimino Hills.

PLANNING COMMISSION RECOMMENDATION

The Planning Commission considered this application at its regular meeting on June 12 and, subsequent to conducting a public hearing at which no one spoke, voted 7:0 to recommend approval.

COUNTY ADMINISTRATOR RECOMMENDATION

The proposed home occupation is a small-scale operation and is not likely to have any adverse impacts on the surrounding area. I am confident that the proposed conditions prohibiting non-resident employees and limiting the hours of operation are sufficient to ensure that it remains a small-scale operation, consistent with the intent of the home occupation provisions of the Zoning Ordinance. Therefore, I recommend that the Board approve this application subject to the conditions contained in proposed Resolution R02-139.

York County Board of Supervisors

June 21, 2002

Page 4

Carter/3337

Attachments

? Excerpts of unapproved Planning Commission Minutes, June 12, 2002

? Zoning Map

? Site Map

? Proposed Resolution R02-139